

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 7 and 10 are currently being amended.

After amending the claims as set forth above, claims 1, 2 and 5-12 remain pending in this application.

Applicant appreciates the courtesy extended by Examiner Gee during the telephonic interview conducted on November 19, 2008. A Statement of Substance of Interview was submitted by Applicant on December 16, 2008.

Claims 1, 2 and 5-12 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication Number 20040203783 to Wu *et al.* ("Wu").

Applicant has amended claims 1, 7 and 10 as proposed during the interview conducted on November 19, 2008. As agreed to by the Examiner, these amendments are believed to overcome the prior art rejections.

Thus, claims 1, 7 and 10 are patentable. Claims 2, 5-6, 8-9 and 11-12 each depend from one of allowable claims 1, 7 or 10 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith,

Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date: February 10, 2009

By /G. Peter Albert, Jr./

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6735
Facsimile: (858) 792-6773

G. Peter Albert Jr.
Attorney for Applicant
Registration No. 37,268